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EXAMINER	
TESLOVICH, TAMARA	

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/928,428	GRUTESER ET AL.	
	Examiner	Art Unit	
	Tamara Teslovich	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-13,15-17,20-22,24-30,32 and 34-50* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-13, 15-17, 20-22, 24-30, 32, and 34-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to Applicant's Remarks filed August 4, 2005.

Claims 2, 14, 18, 19, 23, 31, and 33 have been cancelled by the applicant and incorporated into their respective independent claims. New claims 49 and 50 have been added. Claims 1, 3-13, 15-17, 20-22, 24-30, 32, and 34-50 are herein considered.

Response to Arguments

Applicant's arguments filed August 4, 2005 have been fully considered but they are not persuasive.

Regarding independent claims 1, 21, 28, 30, 40, 41, 43, 46, and 47 and their use of the limitation "*suppressing a confidential portion of a presentation of said information when said user is determined not to be authorized, but allowing said used to view a non-confidential portion of the presentation*", the Examiner respectfully disagrees with the Applicant's contention that Pfleeger fails to mention the limitation. The Examiner would like to bring to the Applicant's attention the fifth and sixth bullet points on page 230 wherein Pfleeger teaches designating objects as public or private – private meaning that a user would need to be specifically authorized, and public suggesting that the document is non-confidential and hence for the public to see. In addition, he also describes a bit more protection by access limitation wherein an operating system determines whether a particular user should have access to a particular object. The

Regarding independent claims 9, 38, and 44 and their recitation of the limitation "*presenting an alternate application when said user is determined not to be authorized, wherein said alternate application comprises a specific version of a program written to perform a specific task*", the Examiner once again respectfully disagrees with the Applicant's contention that Pfleeger fails to mention the limitation. The Examiner would like to bring to the Applicant's attention the eighth bullet points on page 230 wherein Pfleeger teaches limiting the use of objects and the use's ability access certain properties and features as a document such as the open the document in a program wherein the user can edit the information versus a program wherein the user is merely allowed to view the information and not allowed to perform any computations or print it out. The tasks allowed are specific to the authorization of the user or lack thereof.

Regarding independent claims 15, 21, 30, 39, 45, and 46 and their recitation of the limitation "*presenting an alternate example of information when said user is determined not to be authorized*" the Examiner once again respectfully disagrees with the Applicant's contention that Pfleeger fails to mention the limitation. The Examiner would like to draw the Applicant's attention to the Access Control List subsection on page 244 wherein Pfleeger teaches the utilization of default entries for instances in which a user requests access to a file but is not authorized and so they are provided with a default set of rights and information that has already been predetermined as acceptable information for unauthorized users.

Regarding independent claims 15 and 39 and their recitation of the limitation "*presenting said information example on an alternate information device*" the Examiner

once again respectfully disagrees with the Applicant's contention that Friday fails to mention the limitation, and would like to refer back to page 18 of the previous office action in which the Examiner provides ample citations and examples of the use of alternate information devices wherein users may utilize mobile devices securely through authentication and user tokens. The Applicant's mere contention that the reference does not teach the limitation without pointing out which aspects might be lacking, how and why, leaves the Examiner to assume that the previous rejections were overlooked.

Regarding the Applicant's finals argument that Carl Landwehr "fails to make up for the above-mentioned deficiencies", the Examiner is not quite sure what 'above mentioned deficiencies' the Applicant is referring to, nor why, or how they fail to show the limitations. The Examiner would like to refer the Applicant back to pages 19-21 of the previous office action for the reasoning behind the inclusion of Ladwehr's art within the 35 U.S.C. 103 Rejections.

The Applicant's Amendments to the claims merely move limitations which they believe to be novel into the independent claims, but fail to show how the prior art of record fails to show the limitations. As a result, the rejections from the Examiner's previous office action remain in correspondence with the limitations they were written to reject.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 8-13, 15-17, 21-22, 24-25, 27-30, 32, 34-35, 37-48, and 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Charles P. Pfleeger's *Security in Computing*.

As per claim 1, Pleeger discloses a method, comprising receiving a request to present information selected from a plurality of examples of information (page 242); reading an identification token of at least one user; and determining whether said user is authorized to be presented said information (page 252); suppressing a presentation of said information when said user is determined not to be authorized (page 230).

As per claim 3, Pleeger discloses the method of claim 1, further comprising notifying a third party of said request (page 264).

As per claim 4, Pfleeger discloses the method of claim 1, further comprising presenting an alternate example of information when said user is determined not to be authorized (page 244).

As per claim 5, Pfleeger discloses the method of claim 3, wherein said third party comprises one of a security officer ("security administrator"), a coworker, and a manager (pages 264 and 457).

As per claim 6, Pfleeger discloses the method of claim 1, wherein said information includes at least one of a text file ("file or data set"), an image, a video file, an audio file, a notification, and a computer application ("program") (page 242).

As per claim 8, Pfleeger discloses the method of claim 1, wherein said identification token comprises at least one of a biometric identification ("voice recognizers"), a fingerprint ("handprint detectors"), a retinal image ("identifiers of patterns in the retina"), and a bar code (page 264).

As per claim 9, Pfleeger discloses a method, comprising making a computing application available on a plurality of computing systems (pages 459 and 265), receiving a request to present said application on one of said computing systems (page 230), reading an identification token of at least one user of said one of said computing systems, and determining whether said user is authorized to be presented said computing application (page 252).

As per claim 10, Pfleeger discloses the method of claim 9, further comprising determining whether said user is licensed to be presented said computing application (page 230).

As per claim 11, Pfleeger discloses the method of claim 9, further comprising suppressing a presentation of said application when said user is determined not to be authorized (page 230).

As per claim 12, Pfleeger discloses the method of claim 9, further comprising notifying a third party of the request (pages 264 and 457).

As per claim 13, Pfleeger discloses the method of claim 9, wherein said application comprises one of a text processing program and an image processing program (page 242).

As per claim 15, Pfleeger discloses a method, comprising presenting at least one information example selected from a plurality of examples of information (pages 242 and 265), reading an identification token of at least one user, determining whether said user is authorized to be presented said at least one information example (page 252) and presenting an alternate application when said user is determined not to be authorized (page 230).

As per claim 16, Pfleeger discloses the method of claim 15, further comprising terminating the presentation of said information example when said user is determined not to be authorized (page 264).

As per claim 17, Pfleeger discloses the method of claim 15, further comprising notifying a third party of the reading of said identification token (page 264).

As per claim 21, Pfleeger discloses a method, comprising receiving a request to present information selected from a plurality of examples of information reading identification tokens from a plurality of users (page 242), determining whether any of said users are not authorized to be presented said information (page 252), and selectively suppressing a confidential portion of a presentation of said information to said any of said users determined not to be authorized, but allowing said any of said users to view a non-confidential portion of the presentation; and presenting an alternate information when said user is determined to not be authorized (page 230).

As per claim 22, Pfleeger discloses the method of claim 21, further comprising notifying a third party of said request (page 264).

As per claim 24, Pfleeger discloses the method of claim 22, wherein said third party comprises one of a security officer ("security administrator"), a coworker, and a manager (page 264).

As per claim 25, Pfleeger discloses the method of claim 21, wherein said information includes at least one of a text file ("file or data set"), an image, a video file, an audio file, a notification, and a computer application ("program") (page 242).

As per claim 27, Pfleeger discloses the method of claim 21, wherein said identification token comprises at least one of a biometric identification ("voice recognizers"), a fingerprint ("handprint detectors"), a retinal image ("identifiers of patterns in the retina"), and a bar code (page 264).

As per claim 28, Pfleeger discloses a method, comprising receiving a request to present information selected from a plurality of examples of information (page 242), detecting a presence of a user and determining whether said user has an identification token that can be read (page 252), and selectively suppressing a confidential portion of a presentation of said information to any said user determined not to have said identification token which can be read, but allowing said any of said users to view a non-confidential portion of the presentation; and presenting an alternate information when said user is determined to not be authorized (page 230).

As per claim 29, Pfleeger discloses the method of claim 28, further comprising after said detecting, attempting to read an identification token of said user (page 252).

As per claim 30, Pfleeger discloses a system, comprising a processor for receiving a request to present information selected from a plurality of examples of

information (pages 242 and 265), a reader, coupled to said processor, for reading an identification token of at least one user; and a determining unit for determining whether said user is authorized to be presented said information (pages 252 and 289), wherein said processor selectively suppresses a confidential portion of a presentation of said information when said user is determined not to be authorized, but allows said user to view a non-confidential portion of the presentation, and wherein said processor presents an alternate example of information in place of said confidential portion when said user is determined to not be authorized (page 230).

As per claim 32, Pfleeger discloses the system of claim 30, further comprising a notification unit for notifying a third party of said request (pages 264 and 457).

As per claim 34, Pfleeger discloses the system of claim 32, wherein said third party comprises one of security officer ("security administrator"), a coworker, and a manager (pages 264 and 457).

As per claim 35, Pfleeger discloses the system of claim 30, wherein said information includes at least one of a text file ("file or data set"), an image, a video file, an audio file, a notification, and a computer application ("program") (page 242).

As per claim 37, Pfleeger discloses the system of claim 30, wherein said identification token comprises at least one of biometric identification ("voice recognizers"), a fingerprint ("handprint detectors"), a retinal image ("identifiers of patterns in the retina"), and a bar code (page 264).

As per claim 38, Pfleeger discloses a system (page 228 reference "general purpose operating system"), comprising a processor for receiving a request to present

an application on one of a plurality of computing systems, said computing application being available on said plurality of computing systems (pages 242 and 265), a reader for reading an identification token of at least one user of said one of said computing systems; and a determining unit for determining whether said user is authorized to be presented said computing application (page 252), wherein an alternate application when said user is determined not to be authorized, and wherein said alternate application comprises a specific version of a program written to perform a specific task (page 230).

As per claim 39, Pfleeger discloses a system, comprising a display for presenting at least one information example selected from a plurality of examples of information (page 242 ands 289) a reader for reading an identification token of at least one user; and a determining unit for determining whether said user is authorized to be presented said at least one information example (pages 252 and 289), wherein an alternate information example is presented when said user is determined not to be authorized, and said alternate information example is presented on an alternate user interface device (page 244).

As per claim 40, Pfleeger discloses a system, comprising a processor for receiving a request to present information selected from a plurality of examples of information (pages 242 and 265), a reader for reading identification tokens from a plurality of users; and a determining unit for determining whether any of said users are not authorized to be presented said information (pages 252 and 289), said processor selectively suppressing a confidential portion of a presentation of said information to

said any of said users determined not to be authorized, but allowing said user to view a non-confidential portion of the presentation (page 230).

As per claim 41, Pfleeger discloses a system, comprising a processor receiving a request to present information selected from a plurality of examples of information (pages 242 and 265), a detector for detecting a presence of a user; and a determining unit for determining whether said user has an identification token that can be read (pages 252 and 289), said processor selectively suppressing a confidential portion of a presentation of said information to any said user determined not to have said identification token which can be read, but allowing said user to view a non-confidential portion of the presentation (page 230).

As per claim 42, Pfleeger discloses the system of claim 41, further comprising a reader for attempting to read an identification token of said user (page 264).

As per claim 43, Pfleeger discloses a computer readable medium embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method, said method comprising receiving a request to present information selected from a plurality of examples of information (pages 242 and 265), reading an identification token of at least one user; and determining whether said user is authorized to be presented said information (pages 252 and 289), and suppressing a confidential portion of a presentation of said information to any said user determined not to have said identification token which can be read, but allowing said user to view a non-confidential portion of the presentation (page 230).

As per claim 44, Pfleeger discloses a computer readable medium embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method, said method comprising making a computing application available on a plurality of computing systems (page 265), receiving a request to present said application on one of said computing systems (page 265), reading an identification token of at least one user of said one of said computing systems, determining whether said user is authorized to be presented said computing application (pages 252 and 289), and presenting an alternate application when said user is determined not to be authorized wherein said alternate application comprises a specific version of a program written to perform a specific task (page 230).

As per claim 45, Pfleeger discloses a computer readable medium embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method, said method comprising presenting at least one information example selected from a plurality of examples of information (pages 242 and 265), reading an identification token of at least one user, determining whether said user is authorized to be presented said at least one information example (pages 252 and 289), and presenting an alternate example of information when said user is determined not to be authorized (page 244).

As per claim 46, Pfleeger discloses a computer readable medium embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method, said method comprising receiving a request to present information selected from a plurality of examples of information (pages 242 and 265), reading

identification tokens from a plurality of users, determining whether any of said users are not authorized to be presented said information (pages 252 and 289), selectively suppressing a confidential portion of a presentation of said information to said any of said users determined not to be authorized, but allowing said user to view a non-confidential portion of the presentation (page 230) and presenting an alternate information when said user is determined not to be authorized (page 244).

As per claim 47, Pfleeger discloses a computer readable medium embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method, said method comprising receiving a request to present information selected from a plurality of examples of information (pages 242 and 265), detecting a presence of a user; determining whether said user has an identification token that can be read (pages 252 and 289), selectively suppressing a confidential portion of a presentation of said information to any said user determined not to have said identification token which can be read, but allowing said user to view a non-confidential portion of the presentation (page 230).

As per claim 48, Pfleeger discloses wherein said method further comprises attempting to read an identification token of said user (pages 252 and 289).

As per claim 50, Pfleeger discloses replacing a display of information on a screen with an empty screen, or replacing said screen with any confidential areas missing (page 264 "Break").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 20 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pfleeger as applied to claims above, and further in view of Friday, Wu, Schmid, Finney, Cheverst and Davies' *A Wireless Public Access Infrastructure for Supporting Mobile Context-Aware IPv6 Applications* hereinafter referred to as Friday.

As per claim 20, the Pfleeger discloses the method of claim 15 but fails to disclose wherein said alternate information device comprises one of a personal digital assistant, a portable personal computer, a wireless device, a cellular phone, and a limited-access display.

Friday discloses wherein said alternate information device comprises one of a personal digital assistant (PDA), a portable personal computer, a wireless device, a cellular phone, and a limited-access display (Friday page 11).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Pfleeger's System and Method for Managing the

Presentation of Information, the wireless personal computing devices as described in Friday to provide increased mobility for users.

As per claim 49, Pfleeger discloses the method of claim 1, but fails to disclose redirecting information that was previously displayed on a monitor to another monitor.

Friday discloses the method of claim 1, further comprising redirecting information that was previously displayed on a monitor to another monitor (page13 reference broadcasting information to co-located clients requiring similar information).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Pfleeger's System and Method for Managing the Presentation of Information, the monitor as described in Friday to allow for the use of administrator screening as well as for increased mobility purposes and in order to share information between mobile clients.

Claims 7, 26, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pfleeger as applied to claims above, and further in view of Carl Landwehr's *Protecting Unattended Computers Without Software*.

As per claim 7, Pfleeger discloses the method of claim 1, wherein said identification token comprises a wireless identification token comprising at least one of a radio frequency identification tag, a wireless radio communications device, a Bluetooth device, 5 an IEEE 802.11 device, and an active badge.

Pfleeger fails to disclose the method of claim 1, wherein the identification token comprises a wireless identification token comprising at least one of a radio frequency identification tag, a wireless radio communications device, a Bluetooth device, 5 an IEEE 802.11 device, and an active badge.

Landwehr discloses the method of claim 1, wherein the identification token comprises tokens that can be sensed without the need for physical contact, such as Radio Frequency (RF) identification tags as well as other wireless tokens (column 3 lines 10-46).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Pfleeger's System and Method for Managing the Presentation of Information, the wireless identification tokens as described in Landwehr to provide increased security for users.

As per claim 26, Pfleeger discloses the method of claim 21, wherein said identification token comprises a wireless identification token comprising at least one of a radio frequency identification tag, a wireless radio communications device, a Bluetooth device, 5 an IEEE 802.11 device, and an active badge.

Pfleeger fails to disclose the method of claim 1, wherein the identification token comprises a wireless identification token comprising at least one of a radio frequency identification tag, a wireless radio communications device, a Bluetooth device, 5 an IEEE 802.11 device, and an active badge.

Landwehr discloses the method of claim 1, wherein the identification token comprises tokens that can be sensed without the need for physical contact, such as Radio Frequency (RF) identification tags as well as other wireless tokens (column 3 lines 10-46).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Pfleeger's System and Method for Managing the Presentation of Information, the wireless identification tokens as described in Landwehr to provide increased security for users.

As per claim 36, Pfleeger discloses the system of claim 30, wherein said identification token comprises a wireless identification token comprising at least one of a radio frequency identification tag, a wireless radio communications device, a Bluetooth device, 5 an IEEE 802.11 device, and an active badge.

Pfleeger fails to disclose the method of claim 1, wherein the identification token comprises a wireless identification token comprising at least one of a radio frequency identification tag, a wireless radio communications device, a Bluetooth device, 5 an IEEE 802.11 device, and an active badge.

Landwehr discloses the method of claim 1, wherein the identification token comprises tokens that can be sensed without the need for physical contact, such as Radio Frequency (RF) identification tags as well as other wireless tokens (column 3 lines 10-46).

It would have been obvious to a person of average skill in the area at the time of the invention to include within Pfleeger's System and Method for Managing the Presentation of Information, the wireless identification tokens as described in Landwehr to provide increased security for users.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T.Teslovich
November 13, 2005

MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137